



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

CERTIFIED MAIL AND ELECTRONIC MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph Fulco, General Manager
Hillendale Country Club, Inc.
13700 Blenheim Road
Phoenix, MD 21131

SEP 21 2015

RE: Notice of Violation, Docket No. SDWA-03-2015-021-VS
Hillendale Country Club, Baltimore County, Maryland
PWS ID No. MD1030061

Dear Mr. Fulco:

The following Notice of Violation is issued pursuant to Sections 1414(a) and 1445 of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300g-3(a) and 300j-4(a), and is a coordinated effort with the Maryland Department of the Environment (MDE). According to our records and information received from MDE, your public water system has violated certain provisions of the SDWA, 42 U.S.C. §§ 300f-300j-26, the National Primary Drinking Water Regulations (NPDWR) found at 40 Code of Federal Regulations (CFR) Part 141.

NOTICE OF VIOLATION

Based on information we possess:

1. Hillendale Country Club, Inc. (Respondent) is the owner of the Hillendale Country Club public water system (Hillendale or PWS), PWS Identification Number MD1030061 (System). Respondent is a "person" as defined by Section 1401 (12) of the SDWA and 40 C.F.R. § 141.2.
2. The System serves a population of at least twenty-five (25) persons daily with piped water for human consumption for a minimum of sixty (60) days per year, and/or has at least fifteen (15) service connections. Hillendale is a non-community water system that serves approximately 30 persons.
3. According to information provided by MDE, the System exceeded the Action Level (AL) of 1.3 mg/L for copper numerous times since 1995. For the June – September 2010, monitoring period, the ninetieth percentile value for copper (Cu90) was 1.43 mg/L.
4. According to information provided by MDE, the System exceeded the lead Action Level (AL) 2005 and 2013. In 2013, the ninetieth percentile value for lead (Pb90) was 0.016 mg/L for the January- June monitoring period.

5. For the January – June 2012, July –December 2013, January - June 2014, and January – June 2015 monitoring periods, the System failed to collect samples to monitor for lead and copper, as required by 40 C.F.R. § 141.86.
6. Since 2010, the System has not had two consecutive 6-month monitoring periods where the Pb90 and Cu90 were under the respective action levels. The levels are as follows:

Monitoring Period Start Date	Monitoring Period End Date	Cu90 (mg/L)	Pb90 (mg/L)
1-Jul-11	30-Dec-11	0.85	<0.005
1-Jan-12	30-Jun-12	no samples collected	no samples collected
1-Jul-12	31-Dec-12	4.14	0.015
1-Jan-13	30-Jun-13	4.91	0.016
1-Jul-13	1-Dec-13	no samples collected	no samples collected
1-Jan-14	30-Jun-14	no samples collected	no samples collected
1-Jul-14	31-Dec-14	0.29	<0.005
1-Jan-15	30-Jun-15	no sample collected	no sample collected

7. The System failed to complete and submit an Optimal Corrosion Control Treatment Recommendation by March 31, 2011, as required by 40 C.F.R. § 141.82(a) and §141.90(c)(2), after the copper Action Level exceedance in 2010.
8. The System failed to complete and submit Monthly Operating Reports to MDE as required by the Code of Maryland Regulations 26.04.01.26.
9. On or about February 18, 2015, and August 6, 2015, MDE sent the document “Requirements for Small Water Systems Exceeding the Lead and/or Copper Action Level(s)” to the System.
10. On or about March 24, 2015 and May 21, 2015, MDE contacted the System regarding the overdue Lead Consumer Notice requirements and included the digital version of the “Lead Sample Result Notification” and certification forms.

The Environmental Protection Agency ("EPA") is available to provide advice and technical assistance to help address the above FINDINGS. Please contact Ms. Lisa Donahue at 215-814-2062, if you want to request such advice or assistance.

This Notice of Violation is issued pursuant to Section 1414(a) of the SDWA, 42 U.S.C. § 300g -3(a). After thirty (30) days from the date of this notice, EPA is authorized either to issue an Administrative Order under Section 1414(g) requiring the public water system

to comply, or to commence a civil action under Section 1414(b). Violations of the SDWA and the regulations are subject to penalties of up to \$37,500 per day of violation.

REQUEST FOR INFORMATION

Section 1445(a) of the SDWA, 42 U.S.C. § 300j-4(a), authorizes EPA to require owners and operators of public water systems to provide information as may be necessary to carry out the purposes of the SDWA.

Pursuant to Section 1445(a) of the SDWA, Respondent is required to provide EPA with the following information. This requirement to submit information is mandatory. Compliance with this requirement does not relieve Respondent of any liability for violations of the SDWA. Respondent may be subject to civil and criminal sanctions if it provides misleading or false information or fails to provide the requested information. Information which Respondent provides may be used by EPA in administrative, civil or criminal proceedings.

You may, if desired, assert a business confidentiality claim covering all or part of the information requested herein in the manner described in 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information requested herein, it may be made available to the public by EPA without further notice to you. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35 (See 5 C.F.R. § 1320.3(c)).

The instructions for responding to the inquiries are as follows:

- a. A separate narrative response must be made for each question set forth below, and for any subpart of each question.
- b. Label each response with the corresponding number of the question and any subpart to which it responds.

Accordingly, pursuant to Section 1445(a) of the SDWA, Respondent is directed to provide EPA the following information.

1. Name and street address of the owner or owners of the System. If this is a corporation, provide the names, titles, and addresses of officers. Do not provide a post office box.
2. Name and street address of the operator or operators of the System, and state certification number, if applicable. Do not provide a post office box. If this is a corporation, provide the names, titles, and addresses of officers.
3. The street address of the System, or, if no street address is possible, the physical location of the System. Do not provide a post office box.

4. Number of persons served drinking water by the System per day on average. Include specific information about staff, members, restaurant/event patrons, and visitors.
5. Number of service connections to the System.
6. State whether the System is operated year-round. If the System is not operated year-round, state the number of days in operation.
7. A copy of the most recently performed sanitary survey for the System.
8. Copies of any Lead and Copper monitoring results since 2012, unless noted in the table above.
9. Copies of Monthly Operating Reports for 2014 and 2015.
10. Any existing plans and schedules to address elevated copper levels and/or lead levels, including any Optimal Corrosion Control Treatment Recommendation required to be submitted to MDE.

Your response to this Notice of Violation and Request for Information shall be in writing. Your response is due within thirty (30) days of receipt of this Notice of Violation and Request for Information. You should submit your response to:

Ms. Lisa M. Donahue
Ground Water and Enforcement Branch (3WP22)
United States Environmental Protection Agency
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
donahue.lisa@epa.gov

and

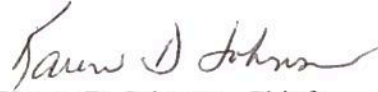
Ms. Nancy Reilman, Chief
SDWA Implementation Division
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230
Nancy.Reilman@maryland.gov

If you have any questions, please call Lisa Donahue at 215-814-2062.

EPA has determined that your System may be a "small business" under the Small Business Regulatory Enforcement Fairness Act (SBREFA). The enclosed document entitled "Information for Small Businesses" provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides

information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, does not create any new rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action.

Sincerely,



Karen D. Johnson, Chief
Ground Water and Enforcement Branch

Enclosures

cc: Ms. Nancy Reilman, MDE
Mr. Sean Kenney, MDE
Neil Winner, MDE
Christine Nagel, MDE
✓ Evonne Deloatch, Food Program Supervisor, Baltimore County Environmental Health Services

